

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

MARK GUGLIUZZA,

Plaintiff,

v.

SWIFT TRANSPORTATION CO. OF  
ARIZONA, LLC; and JASON LYBERGER,

Defendant.

CIVIL ACTION NO.: 4:21-cv-140

**ORDER**

On October 29 and 30, 2024, the parties advised the Court that they have reached a settlement of this matter and that they intend to dismiss the case once the settlement documentation is finalized. (See doc. 170.) Accordingly, the Court **DIRECTS** the Clerk of Court to **ADMINISTRATIVELY CLOSE** this action. See Heape v. Flanagan, No. 6:07-CV-12, 2008 WL 2439736 (S.D. Ga. June 9, 2008). The trial of this matter and all other deadlines are continued.

Within **forty-five (45) days** of the date this Order is entered, the parties—if they wish—may present a dismissal judgment, pursuant to Federal Rule of Civil Procedure 41(a)(2), incorporating the terms of their settlement, so the Court may retain jurisdiction to enforce the agreement. In the alternative, the parties may simply file a joint stipulation of dismissal. If the parties fail to file a dismissal (or, if necessary, move to reopen the case) within **forty-five (45)**

days, the Court will *sua sponte* dismiss the case with prejudice. Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 381–82 (1994).

**SO ORDERED**, this 31st day of October, 2024.



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R. STAN BAKER, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA